

Remarks

In the Office Action mailed August 7, 1996, the Examiner required restriction to one of the following groups:

Group I -- Claims 1-6 and 11, drawn to ICAM-1 proteins;

Group II -- Claims 7-8 drawn to nucleic acids;

Group III -- Claims 9-10 drawn to methods of recovering ICAM-1;

Group IV -- Claims 12-14 and 65-66 drawn to antibodies or hybridomas to ICAM-1;

Group V -- Claim 15, drawn to a method of identifying non-immunoglobulin antagonists of ICAM-1;

Group VI -- Claims 16-34, 35-53, and 69-70, drawn to methods of treatment or pharmaceutical compositions; and

Group VII -- Claims 54-64 and 67-68 drawn to diagnostic methods.

Applicants hereby provisionally elect to prosecute the invention of **Group I**, represented by claims 1-6 and 11. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made **with** traverse. In order to require restriction, the Examiner must establish that there would be a serious burden if restriction is not required. *See* Manual of Patent Examining Procedure (M.P.E.P.) § 803 (Rev. 2, July 1996). Since the Examiner has not established that examining one or more of these groups together would constitute a serious burden, Applicants respectfully request that this restriction requirement be reconsidered.

Applicants have added several claims directed to the elected group. Support for these new claims can be found in the specification, *inter alia*, at page 4, lines 15-17; page 21, lines 19-25; page 22, lines 25-28; page 39, lines 16-22; page 66, lines 13-25; page 84, line 4, to page 85, line 19; page 85, line 20, to page 89, line 17; Figure 8; and original claim 1.

If extensions of time not submitted herewith are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. If any additional fees are required, e.g., additional claim fees, than these fees should also be charged to our Deposit Account.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Robert C. Millonig", written over a horizontal line.

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